

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**LOLIZ, LLC**

**Plaintiff,**

**v.**

**COLONY INSURANCE COMPANY**

**Defendant.**

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**Civil Action No. 6:21-cv-00224**

**JOINT RULE 41 STIPULATION OF DISMISSAL WITH PREJUDICE**

**TO THE HONORABLE COURT:**

COMES NOW Plaintiff Loliz, LLC jointly with Defendant Colony Insurance Company with this Joint Rule 41 Stipulation of Dismissal with Prejudice.

The parties to this action entered into a confidential settlement agreement, the provisions of which are incorporated herein by reference. As a result of the agreement, the need for this lawsuit has dissipated. Therefore, the Parties file this Joint Rule 41 Stipulation of Dismissal with Prejudice.

Federal Rule of Civil Procedure 41 provides that an action may be dismissed by the filing of “a stipulation of dismissal signed by all parties who have appeared.” FED. R. CIV. P. 41(a)(1)(A)(ii); *see also Yesh Music v. Lakewood Church*, 727 F.3d 356, 362 (5th Cir. 2013). A court order is not necessary when the parties to the lawsuit file a stipulation of dismissal under Rule 41(a)(1)(A)(ii). *Yesh Music*, 727 F.3d at 362.

Therefore, pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii), Plaintiff and Defendant jointly stipulate that this case shall be dismissed with prejudice, with each Party to bear its own costs.

**WHEREFORE**, the Parties pray that the Court take notice of this Joint Rule 41 Stipulation of Dismissal with Prejudice and grant the parties any other and further relief, at law or in equity, to which they are justly entitled.

Respectfully submitted,

/s/ Brenda Owoeye

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- and -

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**ATTORNEYS FOR DEFENDANT COLONY**

**INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served upon all counsel of record via e-service in accordance with the Federal Rules of Civil Procedure on October 12, 2021.

/s/ Stephen Melendi

Stephen A. Melendi